

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 ONE (1) 2015 ROLLS ROYCE WRAITH, )  
 VIN: SCA665C5XFUX85178; )  
 )  
 ONE (1) 2019 LAMBORGHINI URUS, )  
 VIN: ZPBUA1ZL2KLA01775; and )  
 )  
 ONE (1) 2017 LAMBORGHINI )  
 HURACAN, VIN: ZHWUR2ZF7HLA07641 )  
 )  
 Defendants. )

No. 4:24-mc-00897 JSD

**MOTION TO EXTEND TIME TO FILE COMPLAINT FOR FORFEITURE**

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Kyle T. Bateman, Assistant United States Attorney for said District, and respectfully moves this Court to extend the time in which the United States is required to file a verified complaint for forfeiture and in support of its Motion states as follows:

1. On February 23, 2024, the following defendant property was seized from Mohamed Gharib during the course of a criminal investigation:

- a. 2015 Rolls Royce Wraith, VIN: SCA665C5XFUX85178;
- b. 2019 Lamborghini Urus, VIN: ZPBUA1ZL2KLA01775; and
- c. 2017 Lamborghini Huracan, VIN: ZHWUR2ZF7HLA07641.

2. All of the written notice of intent to forfeit required by Title 18, United States Code, Section 983(a)(1)(A) to be sent by the Federal Bureau of Investigation to interested parties has been sent.

3. The time has expired for any person to file an administrative claim to the property under Title 18, United States Code, Section 983(a)(2)(A)-(E).

4. The only person to file an administrative claim to the defendant property with the Federal Bureau of Investigation is Mohamed Gharib on May 22, 2024.

5. Title 18, United States Code, Section 983(a)(3)(A) provides as follows:

Not later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a court in the district in which the complaint will be filed ***may extend the period for filing a complaint for good cause shown*** or upon agreement of the parties.

6. Title 18, United States Code, Section 983(a)(3)(B) also provides that the United States may maintain possession of the property by filing criminal charges within the relevant time frame.

7. Accordingly, absent an order extending its time, the United States must either file a civil complaint for forfeiture of the above-captioned property or file criminal charges on or about August 20, 2024.

8. The United States has an ongoing criminal investigation regarding the conduct giving rise to the forfeiture of the property. If a civil complaint is filed, any discovery in a civil case would impede the Government's ability to conduct its ongoing criminal investigation and would also create a burden on the claimant's right against self-incrimination. Should the property be returned to the claimant there would be no assurance that the property would be available as evidence in any subsequent court proceedings.

9. The requested extension is in the interest of justice insofar as it avoids the need for duplicative actions and thereby conserves judicial and other governmental resources.

10. A proposed order is included herewith for the Court's consideration.

WHEREFORE, for the foregoing good cause, the Government respectfully requests that the Court extend the period in which the United States is required to file a Complaint against the property and/or to return criminal charges until November 18, 2024.

Dated: August 13, 2024

Respectfully submitted,

SAYLER A. FLEMING  
United States Attorney

/s/ Kyle T. Bateman

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### **CERTIFICATE OF SERVICE**

I hereby certify that on August 13, 2024, a copy of the foregoing was sent via first-class mail, postage prepaid and addressed to the following:

Mohamed Gharib  
1141 N. Highway 67  
Florissant, MO 63031

John Davis  
KesslerWilliams  
1401 S. Brentwood Blvd., Suite 950  
St. Louis, MO 63144

/s/ Kyle T. Bateman

KYLE T. BATEMAN, #996646(DC)  
Assistant United States Attorney